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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri H.L. Dattu, C.J.

W.P. No. 4206 of 1992

Petitioner Ramesh Chandra Shrivastava son of Shri Narmada Prasad Shrivastava, aged about 50 years, occupation -- nill, resident of Tilak Nagar, Bilaspur.

Versus

Respondent State Bank of India through its Chief Regional Manager, Raipur.

Petition under Articles 226/227 of the Constitution of India for issue of an appropriate writ, direction, order or command.

Present : Shri Manindra Shrivastava, Sr. Advocate with Shri Amrito Das, counsel for the petitioner.
Shri V.R. Tiwari, counsel for the respondent.

ORAL ORDER
(Passed on 16th April, 2007)

The petitioner is an employee/officer of the respondent-Bank. He is before me in this petition filed under Articles 226/227 of the Constitution of India, *inter alia* seeking the following reliefs :

> (i) "To issue a writ in the nature certiorari quashing the impugned order passed by the Disciplinary Authority dated 12.07.1980 and that of the Appellate Authority dated 24.10.1980.
>
> (ii) The other relief sought for by the petitioner is to direct the respondent to reinstate the petitioner in service with effect from the date he was discharged from the service. "

(2) None of the reliefs sought for by the petitioner in this petition can be granted by this Court at this stage. Being aggrieved by the orders passed by the Disciplinary Authority and that of the Appellate Authority , the petitioner had carried the matter by way of Special Leave Petition before the Supreme Court and Hon'ble Supreme Court has rejected the Special Leave Petition.

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Therefore, petitioner could not have questioned the very same orders which have become final. In that view of the matter, the first relief sought for by the petitioner cannot be granted.

(3) In so far as the second relief sought for by the petitioner is concerned, immediately after he was acquitted by the jurisdictional Magistrate in Criminal Case No. 28/90 dated 27th August 1990, the petitioner had approached the respondent-Bank to reinstate him in service. This request made by the petitioner was rejected by the respondent by issuing an appropriate endorsement. For the reasons best known, the petitioner has not questioned the said endorsement made by the respondent-Bank in this writ petition. Therefore, even the second relief sought for by the petitioner to direct the respondent to reinstate him from the date he was discharged from the service also cannot be granted.

(4) In view of the above, both the reliefs sought for by the petitioner cannot be granted at this stage. Accordingly, the petition requires to be rejected and it is rejected. Ordered accordingly.

Sd/-
Chief Justice